

Docket No.: 2001 P 04580 US
App. No.: 09/809,761

REMARKS

Claims 1-16 and 19-20 are pending in the Application. Claim 11 has been amended.

Claim Rejections - 35 U.S.C. § 102

The Patent Office rejected claims 1, 2, 5-8 and 19 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,642,630 by Beckner, ("Beckner").

Applicant respectfully traverses. Applicant respectfully submits that the present application is directed to a novel and nonobvious network including ports with configurable hardware interfaces whereby multiple types of hardware interfaces, for example, a serial port link, an Ethernet port link, a USB port link, and a FireWire (TM) port link, may be employed to access the network.

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *W.L. Gore & Assocs. v. Garlock*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). Further, "anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983). Emphasis added.

Applicant respectfully submits claims 1 and 19 recite novel and nonobvious elements. For example, claim 1 recites a local area network including a plurality of bus ports coupled to a data bus, the bus ports including a hardware interface, wherein the at least two bus ports have different hardware interfaces. Similarly, claim 19 recites a local area network with a plurality of bus ports coupled to a data bus wherein each of the bus ports has a configurable hardware interface.

Beckner fails to teach, disclose or suggest a network including ports with different hardware interfaces or a configurable hardware interface as recited in claims 1 and 19 respectively. The Patent Office points to communication controllers 3000-0, 3000-15 for support of its assertion that Beckner discloses a plurality of bus

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ports with different hardware interfaces. The Patent Office further states that the format interface 3010 of Beckner teaches a hardware interface of the present application.

However, Beckner states that the communication controllers are "substantially identical." (Beckner, Column 3, Lines 3-9). This means that the hardware interfaces are similar and not different or configurable as recited in claims 1 and 19. The Patent Office points to Column 3, Lines 9-11 for support of its assertion which lists different types of user devices which may connect to the bus. Different types of devices which may connect to a bus does not imply that each port has a different hardware interface. Beckner only discloses the coupling of multiple devices via a single hardware interface. Emphasis added. The format interface 3010 of Becker, (cited for support by the Patent Office as equivalent to a configurable interface), does not disclose teach or suggest a configurable hardware interface. Rather, the format interface is merely a buffer which "receives and stores data from the associated user device." (Beckner, Column 4, Lines 26-28). A buffer is not equivalent to a configurable hardware interface,

Consequently, under *Lindemann*, a *prima facie* case of anticipation has not been established for claims 1 and 19. Thus, claims 1 and 19 are believed allowable. Claims 2 and 5-8 are believed allowable due to their dependence upon an allowable base claim.

Claim Rejections - 35 U.S.C. § 103

The Patent Office rejected claims 3 and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,642,630 by Beckner, ("Beckner") in view of U.S. Patent No. 6,760,799 by Dunlap et al., ("Dunlap").

Applicant respectfully traverses. It is contended that all of the claims rejected under this section depend on independent claims 1 and 19, both of which are non-anticipatory and non-obvious based on the rationale above. Thus, dependent claim 3 (which depends on independent claim 1) and dependent claim 20 (which depends on independent claim 19) should be allowed.

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The Patent Office rejected claims 4 and 9-16 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,642,630 by Beckner, ("Beckner") in view of U.S. Patent No. 5,659,718 by Osman et al., ("Osman").

Applicant respectfully traverses. Regarding claims 4, 9 and 10, it is contended that these claims depend on independent claim 1, which is non-anticipatory and non-obvious based on the rationale above. Thus, dependent claims 4 and 9-10 should be allowed.

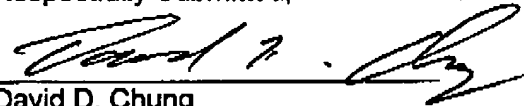
Applicant respectfully submits claim 11 is believed allowable based upon the same rationale as claims 1 and 19 discussed above. Osman fails to cure the defects of Beckner. Consequently, claim 11 is believed allowable. Claims 12-16 are believed allowable due to their dependence upon an allowable base claim.

Conclusion

Applicants respectfully submit that all claims are allowable, and it is respectfully requested that the entire application now be passed to formal allowance.

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Respectfully Submitted,


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